

# EXHIBIT 7

**Denise Lunsford**

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**From:** Winn, Sara (USAVAW) <Sara.Winn@usdoj.gov>  
**Sent:** Friday, July 10, 2020 3:46 PM  
**To:** jsiegel@cooley.com; Joseph Platania Joe; Denise Lunsford; John Hill  
**Cc:** Richer, Amber (CIV); Bubar, Daniel (USAVAW); Bockhorst, Jennifer (USAVAW); Kavanaugh, Christopher (USAVAW)  
**Subject:** Fwd: Order  
**Attachments:** SKM\_C300i20071013590.pdf; ATT00001.htm

Thank you for giving me an opportunity to review that document Joe.

Counsel — I see your agreement makes reference to me personally and suggests you are relying on some non-existent agreement between me and plaintiffs' counsel. Let me clarify for the record I have not made any agreements that anyone should rely on. Not only is the authority of an AUSA to bind the government limited by regulation and policy, but I have also not made any agreements nor intended to bind the government in anyway. My authority also is entirely derivative of the decisions made by the United States Attorney and in the case, because Thomas Cullen is recused, decisions are made by Dan Bubar who also has not made any agreements with plaintiffs' counsel. In addition, the Federal Programs Branch of the Department of Justice is working on this case and they also have made no agreements with plaintiffs' counsel. To be clear, we do not waive any right to the many protections and executive privileges enjoyed by the Federal information plaintiffs seek. If our position on this is unclear in any way I recommend we have a phone call to discuss further. I can be reached at any time at 540-986-6978. Sara Winn.

Sent from my iPhone

Begin forwarded message:

**From:** "Platania, Joseph" <platania@charlottesville.gov>  
**Date:** July 10, 2020 at 2:04:43 PM EDT  
**To:** "Winn, Sara (USAVAW)" <SWinn@usa.doj.gov>, "Antony, Nina-Alice" <antony@charlottesville.gov>  
**Subject:** Order

Sara:

Getting signed today or Monday.

**Joseph Platania**  
**Commonwealth's Attorney**  
**City of Charlottesville**

My email address has changed to [platania@charlottesville.gov](mailto:platania@charlottesville.gov)  
Please update my email address within your contacts. Thank you.

IN THE CIRCUIT COURT FOR THE CITY OF CHARLOTTESVILLE

COMMONWEALTH

v.

JAMES FIELDS, JR.

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CR17-296 (01-10)

**AGREED MOTION AND ORDER ON DISCOVERY**

COMES now the Commonwealth through her attorney, Joe Platania, and counsel for the Defendant, Denise Lunsford and John Hill, to enter the following Agreed Order on Discovery.

1. On October 30, 2017, the Charlottesville General District Court entered an Agreed Motion and Order for Discovery (the "Order"), wherein it memorialized and attached an Open File Agreement between the Commonwealth, Ms. Lunsford, and Mr. Hill.
2. The Open File Agreement provided that the Commonwealth was giving Ms. Lunsford and Mr. Hill certain "open file" discovery materials ("Discovery Material"), and that Ms. Lunsford and Mr. Hill agreed they "will not allow these additional materials or any copy thereof to leave our possession or control." As a consequence, the Order provided that Ms. Lunsford and Mr. Hill "agree not to allow the additional materials provided in 'open file' or any copy therefore to leave their possession or control."
3. In January 2020, Ms. Lunsford and Mr. Hill were served with subpoenas *duces tecum* (the "Subpoenas") by plaintiffs in the matter of *Sines v. Kessler*, Case No: 3:17-cv-00072-NKM-JCH, currently pending in the United States District Court for the Western District of Virginia (the "Civil Action"), which is a civil action against, among others, the Defendant James Fields, Jr.
4. The Subpoenas require Ms. Lunsford and Mr. Hill to produce, among other things, the Discovery Material, that is within the scope of the Order prohibiting such disclosure.



5. There is a Protective Order in the Civil Action, which allows for documents produced by Ms. Lunsford and Mr. Hill to be designated "Confidential or "Highly Confidential," which limits the dissemination of such documents.
6. By orders dates June 12, 2020 and June 26, 2020, the Honorable Joel C. Hoppe of the United States District Court for the Western District of Virginia overruled the Motions to Quash by Ms. Lunsford and Mr. Hill and ordered them to produce the Discovery Material in response to the Subpoenas.
7. The Commonwealth consents to Ms. Lunsford and Mr. Hill producing documents, including the Discovery Material, in response to the Subpoenas.
8. Pursuant to an agreement between Joshua Siegel, attorney for the plaintiffs in the Civil Action, and Sara Winn, Assistant United States Attorney, the parties understand and agree that nothing in this order shall be construed to release Discovery Material provided to Ms. Lunsford and Mr. Hill by the Federal Government nor material turned over to Ms. Lunsford and Mr. Hill by the Commonwealth which originated from the Federal Government. (The parties are aware of only one such document, specifically a social media summary report prepared by Special Agent Brant Meyer with the F.B.I.)
9. For the reasons stated, the undersigned jointly ask this Court to order that notwithstanding the General District Court's Order or any other subsequent discovery Order of this Court, Ms. Lunsford and Mr. Hill may produce to plaintiffs in the Civil Action documents responsive to the Subpoenas.

IT IS SO ORDERED:

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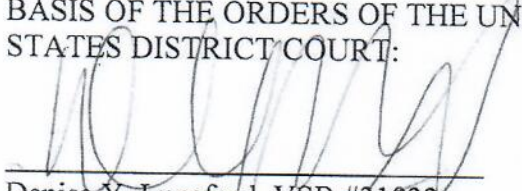
Judge Claude V. Worrell  
Judge of the 16<sup>th</sup> Judicial Circuit

WE ASK FOR THIS:

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Nina-Alice Antony, VSB# 81812  
Senior Assistant Commonwealth's Attorney  
P.O. Box 911, City Hall  
Charlottesville, VA 22902  
Tel: (434) 970-3176  
Fax: (434) 971-8202

SEEN AND NOT OBJECTED TO ON THE  
BASIS OF THE ORDERS OF THE UNITED  
STATES DISTRICT COURT:



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Denise Y. Lunsford, VSB #31833  
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